

**United States District Court****for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Dominic Ray Eaglebear

Case Number: 0980 2:03CR00005-RHW-1

Address of Offender: Spokane County Jail, Spokane, Washington

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: September 12, 2011

Original Offense: Carrying and Brandishing a Firearm During and in Relation to a Crime of Violence, 18 U.S.C. § 924(c)(1)(A)(ii)

Original Sentence: Prison - 10 months;  
TSR - 50 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: January 3, 2014

Defense Attorney: Federal Public Defender

Date Supervision Expires: March 2, 2018

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

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**Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** On May 14, 2015, Mr. Eaglebear was formally charged with obstructing an officer in Spokane Municipal Court case number 5Z0410854. Available court records do not specify when Mr. Eaglebear is scheduled to appear in this matter.

According to the incident report, on May 14, 2015, at 1:38 a.m., police officers responded to a bar in Spokane, Washington, for a complaint of a fight. Witnesses provided the responding officers with a description of the aggressor, who was later identified as Mr. Eaglebear. Officers located Mr. Eaglebear as he was walking away from the scene and directed him to stop. As an officer closed within 5 feet of him, the offender began to run. Subsequently, a foot pursuit ensued. Officers continued to direct Mr. Eaglebear to stop, but he continued to run. During the foot pursuit, one officer tripped and fell to the ground, which caused abrasions on his hand and elbow, as well as pain in the officer's hip. Another officer in a patrol car was able to block Mr. Eaglebear's path and an officer on foot was able to tackle him to the ground.

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While on the ground, the offender allegedly continued to struggle and kept his hands underneath his chest. Officers were finally able to get Mr. Eaglebear's left hand out from underneath him and he eventually relaxed enough to be handcuffed. After taking Mr. Eaglebear into custody, other officers noted the arresting officer was limping, complained of knee pain, and had abrasions on his body.

Due to the long run and continued resistance, officers decided to search Mr. Eaglebear while standing. While being searched on his feet, Mr. Eaglebear began to tense up and twist his upper torso. Officers then bent him over at the waist and placed him in a prone position on the hood of the patrol car. The offender became very angry and yelled about his boots. The searching officer told Mr. Eaglebear to stop fighting and the offender reportedly tried to stand up.

Officers then interviewed witnesses about the alleged fights. A member of the bar's security staff advised that Mr. Eaglebear was the aggressor in a fight that had occurred inside the establishment. Mr. Eaglebear allegedly held a knife in his hand during the fight, but only kept the knife by his leg. Security staff advised law enforcement that the offender did not assault anybody with the knife and took the knife away from him. Subsequently, security staff was able to get all of the people involved in the fight outside. Approximately 5 minutes later, Mr. Eaglebear reportedly entered the bar again and attempted to start fights. Security staff members were able to escort Mr. Eaglebear outside of the bar. As soon as they got outside, the offender allegedly put his fists up and wanted to fight the security staff personnel. Another patron was reportedly able to tackle Mr. Eaglebear and law enforcement was called at that time.

Officers determined there were no victims of assault found as a part of the investigation. However, Mr. Eaglebear was arrested for obstructing a police officer. Upon being advised of his Miranda Rights, Mr. Eaglebear reportedly stated he did not understand, but did not specify what he did not understand. While being transported to the jail, the offender reportedly stated he "just wanted them to pay for what they did." The transporting officer did not ask Mr. Eaglebear any questions about that statement.

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**Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** On May 15, 2015, the undersigned officer attempted to contact Mr. Eaglebear at his reported residence for the purposes of an unscheduled home contact. Upon knocking on the door, there was no response. Subsequently, the undersigned officer left a business card in the door with a notation directing Mr. Eaglebear to report to the U.S. Probation Office no later than 12:30 p.m. on May 18, 2015. Mr. Eaglebear failed to respond to the aforementioned reporting instructions.

On the evening of May 19, 2015, the undersigned officer attempted to contact Mr. Eaglebear at his reported residence on three occasions. Upon knocking on the door on each occasion, there was no response. Subsequently, a business card was placed on the front door of the residence with a notation that directed Mr. Eaglebear to contact the undersigned officer immediately.

On May 21, 2015, the undersigned officer contacted Mr. Eaglebear's substance abuse counselor and asked that he provide Mr. Eaglebear a message to contact me.

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On May 21, 2015, Mr. Eaglebear contacted the undersigned officer by telephone. He stated he received only one of the business cards the undersigned officer had placed on the front door of his residence. He further reported that he did not have to work on May 22, 2015. Subsequently, Mr. Eaglebear was instructed to report, in person, to the U.S. Probation Office on May 22, 2015, at 9:30 a.m.

On May 22, 2015, at 8:17 a.m., Mr. Eaglebear sent the undersigned officer a text message stating his sister was getting married on that date. He provided no other information. The undersigned officer responded immediately upon receiving the above-noted text message and advised he was still required to report to the U.S. Probation Office. Mr. Eaglebear failed to respond as directed. Multiple attempts to establish contact with Mr. Eaglebear on May 22, 2015, by telephone and text message were unsuccessful. In addition, on May 22, 2015, the undersigned officer attempted to contact Mr. Eaglebear at his residence and was able to make contact with his roommate. Mr. Eaglebear's roommate acknowledged that his sister was getting married either on that date or sometime over the weekend, but did not have any specific details. His roommate also stated the defendant had received the two business cards the undersigned officer had previously left at their residence.

At 10:59 a.m., on May 22, 2015, the undersigned officer sent Mr. Eaglebear a text message to report to the U.S. Probation Office by 1 p.m. Mr. Eaglebear responded to the text message at 1:39 p.m. and stated he would report the following week.

Due to the undersigned officer's multiple attempts to have face-to-face contact with Mr. Eaglebear, a warrant for the offender's arrest was requested on May 22, 2015, in U.S. District Court, Eastern District of Washington case number 2:11CR00028-RHW-1. Subsequently, the Court issued a warrant for Mr. Eaglebear's arrest on May 22, 2015, in the offender's other Federal matter.

On May 26, 2015, Mr. Eaglebear reported to the U.S. Probation Office in Spokane, Washington, and was taken into custody on the warrant issued in case number 2:11CR00028-RHW-1. He appeared before the U.S. Magistrate Judge in Spokane, Washington, on that same date and waived his probable cause and detention hearings. Mr. Eaglebear is scheduled to appear before the Court for a plenary hearing in case number 2:11CR00028-RHW-1 on June 10, 2015, at 11 a.m.

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**Standard Condition # 11:** The offender shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

**Supporting Evidence:** As noted in allegation number one of this petition, Mr. Eaglebear was arrested for obstructing police officers in Spokane, Washington. Mr. Eaglebear failed to report his arrest to the undersigned officer until May 21, 2015.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 5, 2015

s/Erik Carlson

Erik Carlson  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



\_\_\_\_\_  
Signature of Judicial Officer

June 8, 2015

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Date